

SENATE BILL 345

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 38,  
Chapter 1, Part 2 and Title 62, Chapter 9, Part 1,  
relative to scrap metals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 38-1-201, is amended by adding the following language as new subsection (d):

(d) For purposes of this part, "precious metals" shall include gold, silver, platinum and copper.

SECTION 2. Tennessee Code Annotated, Section 62-9-101, is amended by deleting the section in its entirety and by substituting instead the following language:

§ 62-9-101.

(a) All metal recyclers and all junk dealers, by which is meant all persons in any way buying, selling, exchanging, trading or dealing in scrap iron, brass, wire, cable, copper, lead, solder or second-hand metals of any sort within the state shall register with the chief of police and the sheriff of each city and county in which such business is conducted.

(b) All metal recyclers and junk dealers shall keep a log in duplicate and shall enter on the log a clear and accurate description of any scrap iron, brass, wire, cable, copper, lead, solder or other metals of any sort purchased; the date and amount of money paid for such items; and the name, race, residence and address of the seller. The seller and the purchaser shall sign the log below the description of each transaction. On each day the purchaser shall transact business of the type described within this section, the purchaser shall deliver to the sheriff and the chief of police of each county or municipality in which the business is conducted a copy of the log concerning that day's

business, and the copy of the log shall be delivered by twelve o'clock (12:00) noon of the day following the date of the transaction. The book shall be carefully preserved without alteration and shall at all times be open to the inspection of the sheriff of the county and the chief of police or any deputy or police officer of the city or county.

(c) All recyclers and dealers shall keep such records for a period of three (3) years and shall maintain such records chronologically by date of purchase.

SECTION 3. Tennessee Code Annotated, Section 62-9-102, is amended by deleting the language "dealers" and by substituting instead the language "metal recyclers and junk dealers".

SECTION 4. Tennessee Code Annotated, Section 62-9-104, is amended by deleting the section in its entirety and by substituting instead the following language:

§ 62-9-104.

(a) Metal recyclers and junk dealers shall promptly give to any officers or other persons inquiring of them information to enable the seller to be identified, or any information which such recycler or dealer may have that will lead to the identification of the seller.

(b) The failure on the part of such recycler or dealer to give such information on demand shall render such dealer guilty of the violations of this chapter.

SECTION 5. Tennessee Code Annotated, Section 62-9-106, is amended by deleting the section in its entirety.

SECTION 6. This act shall take effect July 1, 2007, the public welfare requiring it.